The Customs Preferential Duties Ordinance, 1913.

1 Assent,

J. HAYES SADLER,

Governor.

22nd January, 1913.

SAINT VINCENT.

AN ORDINANCE to give effect to the Canadian-West Indian Preferential Tariff Agreement signed at Ottawa on the 9th day of April, 1912, and to amend the Customs Duties Ordinance, 1895.

[23rd January, 1913.]

WHEREAS on the 9th day of April, 1912, the Agreement set out in the Schedule to this Ordinance was entered into by the Representatives of the
No. 2 of 1913. Government of the Dominion of Canada and the Representative of the Government of this Colony, subject to the approval of the Parliament of Canada, the Legislature of this Colony and the Secretary of State for the Colonies.

And whereas the Legislative Council of this Colony approved the said Agreement by a Resolution passed on the 8th day of July, 1912.

And whereas it is expedient to give effect to the said Agreement so as to enable this Colony to participate in the advantages secured by it.

Be it therefore enacted by the Governor, with the advice and consent of the Legislative Council of Saint Vincent as follows:

1. This Ordinance may be cited as "The Customs Preferential Duties Ordinance, 1913", and shall be read and construed as one with the Customs Duties Ordinance, 1895, No. 2 of 1895, hereinafter called the principal Ordinance or any Ordinance amending or substituted for the same.

2. The Agreement signed at Ottawa on the 9th day of April, 1912, by the Representatives of the Dominion of Canada and the Representative of this Colony, which is set out in the Schedule to this Ordinance and is hereinafter called the Agreement, is hereby approved and adopted, and the terms and conditions therein contained shall be adhered to by the Government of this Colony.

3. (1) Notwithstanding anything contained in the principal Ordinance the duties of Customs payable on the goods enumerated in Schedule A to the Agreement, being the produce or manufacture of Canada, shall be four-fifths of the duties imposed on other similar goods by the principal Ordinance or any Ordinance amending or substituted for the same.

Provided that the duties imposed on wheat flour by the principal Ordinance or any Ordinance amending or substituted for the same shall always exceed the duties payable on wheat flour being the produce or manufacture of Canada by at least six pence on every hundred pounds weight thereof.

(2) The provisions of this section shall apply to all goods enumerated in Schedule A to the Agreement which are the produce or manufacture of the United Kingdom in the same manner as to similar goods which are the produce or manufacture of Canada.
(3) The provisions of this section shall apply to all goods enumerated in Schedule A to the Agreement which are the produce or manufacture of Newfoundland in the same manner as to similar goods which are the produce or manufacture of Canada.

(4) It shall be lawful for the Governor in Council to declare by an Order, with the approval of the Legislative Council signified by a resolution, that the provisions of this section shall apply to all goods enumerated in Schedule A to the Agreement which are the produce or manufacture of any British Possession or Protectorate in the same manner as to similar goods which are the produce or manufacture of Canada, and upon the publication of the Order in the Gazette the provisions of this section shall apply accordingly.

4. (1) The Governor in Council may from time to time make regulations for the better carrying out of the provisions of this Ordinance, and, without prejudice to the foregoing general power, he may from time to time make regulations for the following purposes or any of them,—

(a) prescribing the nature and the manner of the proof that goods are the produce or manufacture of a country to which preference is granted under this Ordinance,

(b) providing that goods shall not be entitled to preference unless they are conveyed to this Colony by ship direct from the country of which they are the produce or manufacture, or by the way of one of the other Colonies entitled to the advantages of the Agreement, and prescribing what shall be deemed to be such direct shipment as will render goods entitled to preference,

(c) providing that manufactured goods shall not be entitled to preference unless a substantial part of the work or labour by which such goods were manufactured was performed in a country to which preference is granted under this Ordinance, and prescribing the extent of such part and the nature and the manner of the proof of the performance of the same,

(d) providing that goods shall not be entitled to preference if they are contained in a package which also contains goods not enumerated in Schedule A to the Agreement, and

(e) providing that goods shall not be entitled to preference if they are set out in a Customs Bill of
Entry in which goods not enumerated in Schedule A to the Agreement are also set out.

(2) Every person who shall be guilty of a contravention of any such regulation shall be liable on summary conviction before the Magistrate of the First District to a fine not exceeding one hundred pounds.

5. (1) This Ordinance shall come into operation upon such day as the Governor shall notify by Proclamation, and it shall continue in force until the Agreement is terminated by the Government of Canada or of this Colony in accordance with the provisions of the eighth section of the said Agreement.

(2) The Proclamation shall make known the approval of the Agreement by the Parliament of Canada and by the Secretary of State for the Colonies.

SCHEDULE.

AGREEMENT BETWEEN CANADA AND CERTAIN OF THE WEST INDIAN COLONIES.

AGREEMENT entered into this ninth day of April, 1912, by the Government of His Majesty's Dominion of Canada, represented herein by the Honourable George Rufus Foster, Minister of Trade and Commerce, the Honourable William Thomas White, Minister of Finance, and the Honourable John Dowsley Reid, Minister of Customs: AND the Governments of:—

Trinidad, represented herein by Henry Barclay Walcott, Collector of Customs;

British Guiana, represented herein by John McIntosh Reid, Comptroller of Customs;

Barbados, represented herein by Dr. William Kelman Chandler L.L.D., C.M.G., Master in Chancery.
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St. Lucia, represented herein by Edward John Cameron, C.M.G., No. 2 of 1913. Administrator of the Colony;
St. Vincent, represented herein by Francis William Griffith, Supervisor of Customs;
Antigua, represented herein by William Douglas Auchinleck, I.S.O., Auditor-General;
St. Kitts, represented herein by Thomas Laurence Roxburgh, C.M.G., Administrator of the Presidency;
Dominica, represented herein by William Henry Potter, I.S.O., Treasurer; and
Montserrat, represented herein by Lieutenant-Colonel Wilfred Bennett Davidson-Houston, C.M.G., Commissioner of the Presidency.

It is agreed between the Government of the Dominion and the Governments of the above-mentioned Colonies severally that:

1. On all goods enumerated in Schedule A, being the produce or manufacture of Canada, imported into any of the above-mentioned Colonies, the duties of Customs shall not at any time be more than four-fifths of the duties imposed in the Colony on similar goods when imported from any foreign country; provided that on flour the preference in favour of Canada shall not at any time be less than 12 cents per 100 lbs.

2. On all goods enumerated in Schedule B, being the produce or manufacture of any of the above-mentioned Colonies, imported into the Dominion of Canada, the duties of Customs shall not at any time be more than four-fifths of the duties imposed on similar goods when imported from any foreign country; provided (a) that on raw sugar not above No. 16, Dutch standard, in colour, and molasses testing over 56 degrees and not over 75 degrees by the polariscope, the preference in favour of the Colony shall not at any time be less than 41 cents per 100 lbs., and for each additional degree over 75 degrees the preference shall not be less than 1 cent per 100 lbs.

3. The concessions granted under Section 2 by Canada to any of the above-mentioned Colonies shall be extended to all the other Colonies enumerated in Schedule D for a period of three years from the day on which this Agreement shall come into operation, and at the end of such period of three years such concessions to the other Colonies may cease and determine as respects any of the said Colonies.
No. 2 of 1913, which shall not have granted to Canada the advantages set forth in Section 1.

4. The Governments of any of the above-mentioned Colonies may provide that to be entitled to the concessions granted in Section 1, the products of Canada shall be conveyed by ship direct without transhipment from a Canadian port into the said Colony or by the way of one of the other Colonies entitled to the advantages of this Agreement.

5. The Government of Canada may provide that, to be entitled to the concessions granted in Section 2, the products of any of the above-mentioned Colonies shall be conveyed by ship direct without transhipment from the said Colony or from one of the other Colonies entitled to the advantages of this Agreement into a sea or river port of Canada.

6. Provided that should the discretion herein granted be at any time exercised by the Government of Canada, provision shall be made in all contracts entered into with steamships subsidized by the Dominion plying between ports in Canada and ports in the Colonies, which are parties to this Agreement, for an effective control of rates of freight.

7. This Agreement shall be subject to the approval of the Parliament of Canada and of the Legislatures of the above-mentioned Colonies, and of the Secretary of State for the Colonies, and upon such approval being given it shall be brought into operation at such time as may be agreed upon between the contracting parties by a Proclamation to be published in the "Canada Gazette" and in the Official Gazettes of each of the said Colonies.

8. After this Agreement shall have been in force for the period of ten years it may be terminated by any one of the parties thereto (in respect of such party) at the end of one year after the day upon which notice shall have been given by the party desiring such termination.

In testimony whereof the said parties have signed this Agreement in duplicate.

Done at Ottawa this ninth day of April in the year of Our Lord one thousand nine hundred and twelve.

George E. Foster, Canada.
J. D. Reid, Canada.
W. T. White, Canada.
(Per George H. Perley, Acting Minister).
Edward J. Cameron, St. Lucia.
J. M. Reid, British Guiana.
H. B. Walcott, Trinidad.
W. K. Chandler, Barbados.
Francis W. Griffith, St. Vincent.
W. H. Porter, Dominica.
Wilfred B. Davidson-Houston, Montserrat.
W. D. Auchinleck, Antigua.
T. Laurence Roxburgh, St. Kitts-Nevis.

SCHEDULE "A".

Schedule of Canadian goods to enjoy the benefits of the Customs Preferential Tariff when imported into the Colony:

Fish, canned.
Fish, dried, salted, or smoked.
Fish, pickled.
Meats, salted or cured.
Meats, canned.
Meats, fresh, and poultry (dead).
Wheat flour.
Indian meal.
Rolled oats and oatmeal.
Cereal foods.
Bran and p-lard.
Bread and biscuits of all kinds.
Oats.
Beans and peas, whole or split.
Coal, bituminous.
Bread.
Cheese.
Lard.
Hay.
Horses, cows, oxen, bulls, sheep, swine, and poultry (living).
Brooms and brushes.
Boots, shoes and slippers.
Cordage.
Agricultural machinery and implements of all kinds.
Iron and steel nails, spikes, rivets, and clinches.
Wire (including barbed wire), woven wire fencing, and metal gates.
Machinery (including motor and other engines), steam boilers, electric machinery, and electric dental appliances of all kinds.
Vehicles, including automobiles and motor cars.
Manufactures of india-rubber.
Paints, colours, and varnishes.
Paper of all kinds and manufactures of paper.
Vegetables of all kinds, including potatoes, onions, and canned vegetables.
Soap.
House, office, cabinet or store furniture of wood, iron, or other material; including cash registers, coffins, caskets, casket robes and linings, and casket hardware.
Planks, boards, deals, joists, scantling, shingles, staves, and headings.
Doors, sashes and blinds.
Pianos and organs.
Starch.
Trunks, valises, travelling and tool bags, and baskets of all kinds.
Cement.
Glass bottles, lamps, lamp chimneys, and table glassware.
Nickel plated, gilt or electroplated ware.
Calcium carbide.
Linseed oil cake and linseed meal.
Canned and bottled fresh fruits.
Condensed milk.

Schedule “B”.

Schedule of West Indian products to enjoy the benefits of the Customs Preferential Tariff when imported into Canada:

Sugar, molasses and syrups.
Shredded sugar cane.
Fresh fruits of all kinds.
Cocoanuts.
Asphalt and manjak.
Coffee.
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Cotton, raw, cotton seed, and cotton seed meal.
Cotton seed oil.
Rice, unclean, rice cleaned, and rice flour and rice meal and rice bran.
Petroleum, crude.
Oils, coal and kerosene, distilled, purified or refined petroleum.
Copra and Coconut oil.
Rubber, raw and balata.
Bulbs.
Logwood and logwood extract.
Annatto.
Turtle shell, unmanufactured.
Ginger, nutmegs, and spices, unground.
Arrowroot.
Salt.
Sponges.
Vegetables, fresh, of all kinds.
Tapioca and cassava.
Tapioca and cassava flour.
Honey and beeswax.
Oils, essential, including bay oil and otto of limes.
Tamarinds, fresh or preserved.
Cattle food containing molasses.
Peanuts and kola nuts.
Diamonds, uncut.
Timber or lumber of wood not further manufactured than sawn or split.
Timber or lumber of wood, dressed.
Vanilla beans.
Bay leaves.
Papain.
Lime juice, fruit syrups, and fruit juices non-alcoholic.

Schedule "C".


Cocoa beans, not roasted, crushed or ground Not less than 75c. per 100 pounds.
Lime juice, raw and concentrated, not re- fined. Not less than 5 cents per gallon.
Limes, fresh. Not less than 10 per cent. ad valorem.

Schedule "D".

Bahamas
Bermuda.
British Honduras.

Grenada.
Jamaica.
Newfoundland.

Passed the Legislative Council the 14th day of January, 1913, and published in the Government Gazette this 23rd day of January, 1913.

V. F. FAYTON,
Clerk of Councils.

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1913.